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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,338	03/25/2004	Tomohiro Suzuki	119234	5443

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EXAMINER
CHAVIS, JOHN Q

ART UNIT	PAPER NUMBER
2193	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/808,338	SUZUKI ET AL.
	Examiner	Art Unit	
	John Chavis	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>25 March 2004</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-22</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1-22</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>8/6/04-2/11/08</u>

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2.   The claimed invention in claims 1-12, 17-20 is directed to non-statutory subject matter. Claim 1 specifies an uninstall device; however, nothing in the claim specifies a hardware component of a device, which is expected. That is, the components listed all appear to be merely software. The installation means appear to be the closest item the may be construed as hardware, via its means for executing; however, nothing specifically indicates that a hardware component (such as a processor or a memory is part of the device). That is, the reference could be considered as in installation program. This conclusion is based on the specific reference to some of the hardware components in claim 13, which is considered statutory. Claim 19 has the same type of problems as claim 1. Claim 17 claims a program, which is not considered to fit into any of the statutory classes listed above. The dependent claims 2-12, 18 and 20 do not cure the problems associated with their respective parent claim.

Drawings

3.   New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because copy marks and handwritten notation of words and lines that are unevenly dark exist in all drawings, which makes many of the items hazy and unclear. Applicant is advised to employ the services of a competent

patent draftsperson outside the Office, as the U.S. Patent and Trademark Office

no longer prepares new drawings. The corrected drawings are required in reply

to the Office action to avoid abandonment of the application. The requirement for

corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section
> 122(b), by another filed in the United States before the invention by the applicant for patent or
> (2) a patent granted on an application for patent by another filed in the United States before
> the invention by the applicant for patent, except that an international application filed under
> the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an
> application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 1-4, 6-11, 13-14, 15-16, 17-18 and 23-24 are rejected under 35

U.S.C. 102(e) as being anticipated by Suzuki (2003/0225933).

        The applied reference has a common assignee with the instant

application. Based upon the earlier effective U.S. filing date of the reference, it

constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C.

102(e) might be overcome either by a showing under 37 CFR 1.132 that any

invention disclosed but not claimed in the reference was derived from the

inventor of this application and is thus not the invention "by another," or by an

appropriate showing under 37 CFR 1.131.

Claim 1. An uninstall device **(see sect. 0083)**, comprising: installing means for executing an installation process for recording **(see the title and the abstract)**, in a device registration area managed by an operating system **(see sects. 0054-0055)**, function-specific device specification data **See sect. 0060)**, which is data to enable an operating system to identify a function of a device **(see sect. 0062)**, in association with device driver specification data, which is data for specifying a device driver as a program for controlling the device to execute the function **(see sects. 0063-0064)**: additional installing means for performing an additional installation process for recording at least one of the function-specific device specification data and the device driver specification data in an additional registration area in association with device specification data **(see sect. 0104, which indicates that a procedure exists for installing and registering more than one device)**, which is data indicating the device; uninstall request receiving means for performing a process to receive an uninstall request from a user targeting the device; and uninstalling means for performing, when an uninstall request for the device is received from the user by the uninstall request receiving means **(see sect. 0063, which receives requests via the user interface in sect. 0051 and sects. 0083-0085, which indicates that the user can request information to be deleted (uninstalled))**, an uninstallation process for removing, from the device registration area, the device driver specification data that is associated with the function-specific device specification data for the device targeted for uninstallation, by using the at least one of the function-specific device specification data and the device driver specification data that is

stored in the additional registration area in association with the device

specification data indicating the device targeted for uninstallation (**see the**

references above and sects. 0104).

        Claim 2. An uninstall device according to claim 1, wherein the installing

means executes the installation process for recording, in the device registration

area, the function-specific device specification data further in association with

input/output interface specification data, which is data for specifying an

input/output interface used for performing communications to control the device;

the installing means enabling the operating system to find the function-specific

device specification data recorded in the device registration area (**see the**

registry above) and to execute the function possessed by the device by

controlling the device with the device driver specified by the device driver

specification data that is associated with the function-specific device specification

data via the input/output interface that is specified by the input/output interface

specification data that is associated with the function-specific device specification

data; wherein the uninstalling means performs the uninstallation process by

further removing, from the device registration area, the input/output interface

specification data that is associated with the function-specific device specification

data for the device, thereby preventing the operating system from controlling the

device to execute the function; wherein the uninstalling means executes the

uninstallation process based on the function-specific device specification data by

removing entries of the input/output interface specification data and the device

driver specification data, which are stored in the device registration area in

association with the function-specific device specification data that is stored in

the additional registration area in association with the device specification data

for the device targeted for uninstallation; and wherein the uninstalling means

executes the uninstallation process based on the device driver specification data

by removing entries of the device driver specification data and the input/output

interface specification data that are stored in the device registration area in

association with the device driver specification data that is stored in the additional

registration area in association with the device specification data for the device

targeted for uninstallation (**see the rejection above**).

Claim 3. An uninstall device according to claim 1, further comprising

installation procedure storing means for storing installation procedure data

including an indication of whether the device driver is to be installed for the

function possessed by the device (**see the check feature in sect. 0080**);

wherein the installing means determines whether a device driver is to be installed

for enabling the operating system to control the device to execute the function,

and installs the device driver when necessary according to the installation

procedure stored in the installation procedure storing means (**see again sect.

0083**).

Claim 4. An uninstall device according to claim 1, wherein the device

includes a plurality of devices, wherein the uninstall request receiving means

receives an uninstall request from the user by prompting the user to select at

least one device as the target for uninstallation; and wherein the uninstalling

means performs the uninstallation process for the device selected by the user as

the target of uninstallation **(see the rejection of claim 1)**.

Claim 6. An uninstall device according to claim 4, further comprising a

display, wherein the additional installing means performs another additional

installation process to record device identification data, which is data enabling

the user to identify each device **(see fig. 3)**, in the additional registration area in

association with the device specification data for the each device; and wherein

the uninstall request receiving means performs a process to control the display to

show the device identification data stored in the additional registration area and

to prompt the user to select at least one device as the target of uninstallation

based on the displayed device identification data **(see fig. 8, specifically items
S570 and S590)**.

Claim 7. An uninstall device according to claim 6, wherein the device

identification data for each device includes the input/output interface specification

data for the device **(see fig. 12, item S1030, S1110, S1340 and S1360)**.

Claim 8. An uninstall device according to claim 7, wherein the uninstall

request receiving means reads the function-specific device specification data that

corresponds to the selected device from the additional registration area and

controls the display to show the device driver specification data (**see the
rejections above**).

Claim 9. An uninstall device according to claim 4, further comprising a
display, wherein the additional installing means performs another additional
installation process to record device identification data, which is data enabling
the user to identify each device, and model specification data (**see fig. 11 in
view of fig. 3**), which is data specifying the model of the each device, in the
additional registration area in association with each other; and the uninstall
request receiving means performs a process to control the display to show the
model specification data stored in the additional registration area and to prompt
the user to select model specification data as the target of uninstallation, and
sets, as a device targeted for uninstallation, all the device that is identified by
device identification data that is stored in the additional registration area in
association with the model specification data selected by the user as the target
for installation (**see the rejections of claims 1-4 and 6-8 above**).

Claim 10. An uninstall device according to claim 9, wherein the uninstall
request receiving means controls the display to show, in association with the
model specification data, the device identification data that are stored in the
additional registration area in association with the model specification data (**see
the rejection of claim 9 above**).

Claim 11. An uninstall device according to claim 1, wherein the functions of the device include at least one of a printer function, an image scanner function, and a fax communication function (**see the rejection of claim 1 in view of figs. 11 and fig. 1**).

Claims 13-14, 15-16, 17-18 and 23-24 are rejected as claims 1-2 above.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 5, 12 and 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of providing for uninstalling devices in the same manner as installing them and for the same reasons.

Claim 5. An uninstall device according to claim 4, wherein when the user selects two or more devices as the target of uninstallation, the uninstalling means performs the uninstallation process for all the user's selected two or more devices. **Suzuki does not indicate that two or more devices are selected as the target of an uninstallation process; however, he specifies that multiple devices are selected for an installation process (see the title and the abstract). Therefore, it would have been obvious to a person having**

ordinary skill in the art at the time of the invention to provide for multiple drivers to be uninstalled for the same reasons as Suzuki enables multiple drivers to be installed to simplify the process and to make the system operate more efficiently by reducing the time required and enabling overall monitoring for the total operation, see sects. 0006 – 0009. That is, it would have been obvious to a person having ordinary skill in the art at the time of the invention to uninstall items as a bundle that were installed as a bundle.

Claim 12. An uninstall device according to claim 1, wherein the device is a multifunction device having two or more different functions (**see the rejection of claim 5**).

Claims 19 and 21 are rejected as claim 5 above and claims 20 and 22 are rejected as claim 5 in view of claim 2.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Chavis whose telephone number is (571) 272-3720. The examiner can normally be reached on M-F, 9:00am-5:30pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on (571) 272-3759. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

/John Chavis/
Primary Examiner, Art Unit 2193